

III. REMARKS

Claims 1-13 are pending in this application. Claims 14 and 15 are cancelled herein. By this amendment, claims 1, 6 and 10 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is requested.

Entry of this Response is proper under 37 C.F.R. §1.116(b) because the Response: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-15 are rejected under 103(a) as allegedly being unpatentable over Cilurzo *et al.* (U.S. Pat. No. 6,434,526), hereinafter “Cilurzo”, in view of Constant *et al.* (U.S. Pat. No. 5,412,575), hereinafter “Constant”.

With respect to claim 1, Applicants submit that Cilurzo fails to disclose each and every feature of the claimed invention as is required under 103(a), and Constant does not remedy this glaring deficiency in Cilurzo. For example, Cilurzo and Constant do not teach or suggest processing the received input information wherein the processing comprises *determining one of a number of words in the dictation and a number of edition operations during a transcription of the dictation.* (emphasis added)(See claim 1, as similarly recited in claims 6 and 10.)

Interpreting Cilurzo only for the purposes of this response, Applicants submit that Cilurzo merely discloses speech recognition software in combination with application specific

software on a communications network. Abstract. There is simply no teaching, or suggestion, in Cilurzo of any type of determination of number or words and/or number of edition operations during a transcription process whatsoever.

In the Office Action, the Office alleges that column 4, lines 42-48, of Cilurzo discloses a determining a number of words in dictation. Office Action, page 4, item 4. This section of the specification reads:

“[T]he speech recognition algorithm will apply a trigram statistical model, which will determine the proper context of three words appearing in sequence and then after selecting the possible words, perform a further detailed analysis of the remaining likely candidates be able to be accommodated at any given time.”

Clearly, this section, and Cilurzo on whole, does not remotely suggest any type of determining, as in the claimed invention. The cited section only discloses applying a speech recognition algorithm for determining a proper word insertion of a three word sequence based on context. Further, Constant does not remedy this glaring omission in Cilurzo, as Constant relates to an entirely different field of endeavor (i.e., pay-per-use access to multiple electronic test capabilities. Title).

Accordingly, Applicants submit that there is no disclosure or suggestion in either Cilurzo or Constant of a method that includes a step comprising determining one of a number of words in the dictation and a number of edition operations during a transcription of the dictation, with respect to claim 1. Therefore, Applicants respectfully request withdrawal of the rejection.

In the Office Action, independent claims 6 and 10 are rejected under the same rationale as claim 1. As a result, Applicants herein incorporate the arguments submitted above with respect to claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection.

With respect to dependent claims 2-5, 7-9 and 11-13, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

IV. CONCLUSION

In light of the above remarks, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe J. Christian", enclosed within a rectangular box defined by vertical lines on the left and right sides.

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Date: May 15, 2006

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